



Crl.O.P.No.31889 of 2022

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T.V.THAMILSELVI, J.

The petitioners who apprehend arrest for the alleged offence under Sections 294(b), 323, 324 and 506(ii) of IPC in Cr.No.540 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to the property dispute the petitioners and the co-accused abused the defacto complainant and made criminal intimidation against the petitioner. Hence, the defacto complainant registered a case against the petitioners.

3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution. He further submits that the co-accused A2 and A4 were granted anticipatory bail. Learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned **Government Advocate (Crl side)** submits that the petitioners have abused the defacto complainant and made criminal



intimidation against him due to the ownership and possession of the disputed property. Hence, He vehemently oppose for granting anticipatory bail to the petitioners.

5. On considering the submissions of the learned counsel for the petitioners and the learned Government Advocate (Criminal side), this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Sankarapuram**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each**, with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and



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the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall report before the respondent police every Saturday at 10.30 a.m. for a period of four weeks and thereafter, as and when required for interrogation;

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners shall not abscond either during investigation or trial;

(e)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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